

Message Text

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E.O. 11652: GDS

TAGS: AORG, UNESCO

SUBJECT: GUIDANCE FOR DELEGATION TO UNESCO CONFERENCE ON
DRAFT DECLARATION ON RACE AND RACIAL PREJUDICE, MARCH 13
20, 1978

REFS: A) PARIS 8070; B) STATE 25974; C) STATE 60174

1. DEPT. CONTINUES STRONGLY TO PREFER POSITIONS EXPRESSED
IN REFTEL B OVER IG PROPOSALS, AND USDEL SHOULD MAKE EVERY
EFFORT TO OBTAIN ADOPTION OF OUR CHANGES.

2. WHERE DEPT. ORIGINAL POSITION IMPOSSIBLE TO ACHIEVE,
DEL CAN SUPPORT IG AMENDMENTS, WITH FOLLOWING CAVEATS:

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A) DEPT. CONTINUES PREFER INCLUSION OF CONDEMNATION OF
GENOCIDE IN AN OPERATIVE PARA OF DECLARATION (REFTEL B,
PARA 12).

B) INFORMATION GROUP HAS COUNTERPROPOSED "WITHIN THE
LIMITS OF THEIR COMPETENCE" WHEREVER DEPT. HAD SUGGESTED
"CONSISTENT WITH THEIR CONSTITUTIONAL PRINCIPLES AND

PROCESSES." IF LATTER NOT ACHIEVABLE, USDEL SHOULD ATTEMPT TO LINK THE TWO OR TO ACHIEVE MORE PRECISE LANGUAGE THAN IG LANGUAGE, SUCH AS "WITHIN THE LIMITS OF THEIR

CONSTITUTIONAL PROCESSES," BEFORE ACCEPTING IG LANGUAGE.

C) ALTHOUGH IG PROPOSAL FOR ARTICLE 4 IS PREFERABLE TO PRESENT TEXT, USDEL SHOULD CONTINUE TO WORK FOR DELETION OF REFERENCE TO APARTHEID AS "CRIME AGAINST HUMANITY."

D) IN ARTICLE 5(2), DEPT. HAD PROPOSED ADDING PHRASE "BASED ON RACE" SO THAT IT WOULD MODIFY BOTH "RESTRICTION" AND "DISCRIMINATION." IG PROPOSAL FOR INSERTION WORD "RACIAL" BEFORE "DISCRIMINATION" DOES NOT ACCOMPLISH THIS. WE DO NOT SUPPORT IG RECOMMENDATION TO DELETE WORDS "AND STANDARD OF LIVING" FROM PRESENT ARTICLE 5(2).

E) DEPT. IS CONCERNED THAT U.S. NOT ACCEPT LANGUAGE ON MASS MEDIA WHICH WILL PREJUDICE OUR POSITION ON THIS ISSUE IN OTHER UN SYSTEM CONTEXTS. IN BRIEF, U.S. POSITION IS THAT MASS MEDIA CAN MAKE ITS BEST CONTRIBUTION IF IT IS ALLOWED TO OPERATE FREELY, RATHER THAN IF IT IS ORDERED TO DO CERTAIN THINGS AND TO REFRAIN FROM DOING OTHERS.

U.S. AND SOUTH AFRICAN EXPERIENCES BOTH SHOW CONTRIBUTION THAT A FREE PRESS CAN MAKE TO IDENTIFYING AND/OR LIMITED OFFICIAL USE

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ELIMINATING RACIAL DISCRIMINATION WHERE STATE POLICY SUPPORTS DISCRIMINATION. ACCORDINGLY, BEST LANGUAGE FROM U.S. STANDPOINT WOULD BE ALONG FOLLOWING: "CONSISTENT WITH THE UDHR EACH STATE SHOULD ENCOURAGE THE FREE FLOW OF INFORMATION, WITHIN COUNTRIES AND ACROSS FRONTIERS, SO THAT RACIAL PREJUDICES, IGNORANCE, AND PRACTICES OF RACIAL DISCRIMINATION CAN BE IDENTIFIED AND ELIMINATED." USDEL SHOULD WORK TO ENSURE THAT FINAL TEXT OF DECLARATION RECOGNIZES MOST SERIOUS PROBLEM IS THAT RACIST AND OTHER REPRESSIVE STATES RESTRICT MASS MEDIA IN ORDER TO PREVENT TRUTH ABOUT THEIR REPRESSIVE POLICIES FROM SURFACING, NOT THAT MASS MEDIA IS ABUSING ITS INFLUENCE.

IN FINAL ANALYSIS, IG PROPOSAL FOR ARTICLE ON MASS MEDIA (REFTEL A, PARA J) IS ACCEPTABLE, BUT ONLY BECAUSE OF INCLUSION OF LANGUAGE REFERRING TO RIGHT OF FREEDOM OF EXPRESSION AND EVEN THEN ONLY MARGINALLY SO.

F) WE DO NOT SUPPORT DELETION OF THE LAST SENTENCE OF ARTICLE 6 AND BELIEVE IT AN APPROPRIATE STATEMENT OF OBLIGATION OF STATES TO TAKE STEPS TO RECTIFY THE EFFECTS OF PAST DISCRIMINATION. THE CONCEPT EXPRESSED IN THIS

SENTENCE WAS STRONGLY SUPPORTED AT UNESCO NATIONAL COM-MISSION MEETING (REFTEL C). HOWEVER, "AT ALL LEVELS OF ITS COMPETENCE" SHOULD BE MODIFIED IN ACCORDANCE WITH PARA 2B ABOVE.

G) IG PROPOSAL ON ARTICLE 7 FAILS TO TAKE ACCOUNT OF FACT U.S. CONSTITUTION DOES NOT ALLOW LAW, GENERALLY SPEAKING, TO CURB PROPAGANDA OR RACIST ORGANIZATIONS, EXCEPT INSOFAR AS THEY HAVE A SUBSTANTIAL POSSIBILITY OF PROVOKING IMMINENT VIOLENCE. SEE REFTEL B, PARA 21, FOR DEPT.'S SUGGESTED REDRAFT.

H) SUGGESTION FOR ARTICLE 8(2) WOULD BE PREFERABLE IF IT DID NOT CALL FOR RESEARCH ON AN INTERDISCIPLINARY BASIS, LIMITED OFFICIAL USE

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SOMETHING WHICH U.S. LEAVES TO DISCRETION OF THE RESEARCHER.

3. DEL INSTRUCTED TO KEEP DEPT. FULLY INFORMED OF NEGOTIATIONS AND OTHER DEVELOPMENTS ON ABOVE ISSUES.

4. THIS CABLE AND REFTEL B CONSTITUTE BASIC INSTRUCTIONS FOR DELEGATION. VANCE

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